



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,457	06/28/2001	Richard W. DeLange	GP-39-2	7404

7590 06/21/2004

Browning Bushman  
5718 Westheimer  
Suite 1800  
Houston, TX 77057-5771

EXAMINER

NICHOLSON, ERIC K

ART UNIT	PAPER NUMBER
----------	--------------

3679

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/894,457

Applicant(s)

DELANGE ET AL.

Examiner

Eric K Nicholson

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 24-31, 34-37 and 46-57 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-31, 34-37, 46-51 and 54-57 is/are rejected.
- 7) ☒ Claim(s) 52 and 53 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **Claim Objections**

Claim 28 is objected to because of the following informalities: In line 1 the term “sue” should be changed to “use”. Appropriate correction is required.

### **Claim Rejections –35 USC § 112**

Claims 46-51 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 46, line 14, “ said first pin end surface” lacks proper antecedent basis.

### **Claim Rejections – 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 24-31,34-37,54 and 55 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 4,026,583 to Gottlieb. The Gottlieb device illustrates in fig. 3 the inventions of claims 24 and 28 of a workpiece and its method of forming for use in making a corrosion-resistant, threaded tubular member having an outer metal tube 34 of corrosion-prone material having a first end 34b, a second end 34a, and an inner surface 40, a first ring 32 of corrosion-resistant material (stainless steel column 3, lines 60-62) secured to the first end 32b of the metal tube 34 and having a first ring end surface (see fig. 3) axially spaced from the metal tube 34. A first annular securing locus 36 is formed between the first ring 32 and the first end 34b of the metal tube 34. An inner metal tubular lining 38 of corrosion-resistant material (column 2, lines 52-60 and column 3, lines 66-67) disposed in the outer tube 34, the metal lining 38 having a first end, a second end, and an outer surface as shown in fig. 3. The outer surface of the lining 38 overlies the inner surface of the tube 40. The first end of the lining being secured to

the first ring 32 at a second annular securing locus (column 4, lines 1-3) axially spaced from both the first annular securing locus 36 and the first ring end surface as shown in fig. 3. As to claims 25,29,30,35 and 36 see column 3, lines 40-41 which indicates the end ring is secured to the tube via friction welding. As to claims 26 and 31 see column 3, lines 65-68 continuing to column 4, lines 1-2 which indicate the lining 38 is secured to the tube 34. As to claims 27 and 34 see fig. 3 which further illustrates a second ring 33 secured to the second end 34a of the tube 34 having a second securing locus in the same manner as the first securing locus formed between the second ring 33 and the second end 34a of the tube 34. The outer surface of the lining overlies the second securing locus as shown in fig. 3 and the second end of the lining is secured to the second ring 33 as disclosed on column 4, line 1. As to claim 37, see column 2, lines 45-50 which indicates that the liner is welded to the tube 34 and the rings 32,33. As to claims 54-57 see fig. 3 for the spacing of the second securing locus from the first securing locus and the first ring end surface.

Claims 24,26,28,31,46,47 and 54-57 are rejected under 35 U.S.C.

§ 102(b) as being anticipated by U.S. patent 4,509,776 to Yoshida.

The Yoshida device illustrates in figs. 15-16 the inventions of claims 24,28 and 46 of a workpiece and its method of forming for use in making a corrosion-resistant, threaded tubular member having an outer metal tube 3 of corrosion-prone material having a first end 5 and a second end, and an inner surface, a first ring 43a of corrosion-resistant material (stainless steel column 6, lines 40-50) secured to the first end of the metal tube 3 and having a first ring end surface 45 axially spaced (column 6, line 48) from the metal tube 3. A first annular securing locus 43 is formed between the first ring 43a and the first end of the metal tube 3. An inner metal tubular lining 4 of corrosion-resistant material (column 2, line 61) disposed in the outer tube 3, the metal lining 4 having a first end, a second end, and an outer surface. The outer surface of the lining 4 overlies the inner surface of the tube 3 and the first ring as shown in fig. 17. The first end of the lining being secured to the first ring 43a at a second annular securing locus (column 6, lines 40-42) axially spaced from both the first annular securing locus 43 and the first ring end surface 45 as shown in fig. 17. As to claims 26 and 31 see column 3, lines 21-23 which indicate the lining 4 is secured to the tube 3. As to claims 54-57 see fig. 17 for the spacing of the second securing locus (the end of the liner

4) from the first securing locus 43 and the first ring end surface 45. As to claims 46 and 47 see male thread 5 formed on the tube 3 and see end surface 45 as the thread free pin shoulder on the first ring.

Claims 24-26,28,29,54-57 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 4,883,292 to Kuroki.

The Kuroki device illustrates in figs. 10-11 the inventions of claims 24 and 28 of a workpiece and its method of forming for use in making a corrosion-resistant, threaded tubular member having an outer metal tube 6' of corrosion-prone material (column 3, lines 35-40) having a first end and a second end, and an inner surface, a first ring 11' of corrosion-resistant material (titanium column 1, lines 45-55) secured to the first end of the metal tube 6' and having a first ring end surface axially spaced (see fig. 11) from the metal tube 6'. A first annular securing locus is formed between the first ring 11' and the first end of the metal tube 6' (column 4, lines 40-45). An inner metal tubular lining 15 of corrosion-resistant material (column 4, lines 10-15) disposed in the outer tube 6', the metal lining 15 having a first end, a second end, and an outer surface. The outer surface of the lining 15 overlies the inner surface of the tube 6' and the first ring as shown in fig. 11. The first end of the lining 15 being secured to the first ring 11' at a second

annular securing locus 17 axially spaced from both the first annular securing locus and the first ring end surface as shown in fig. 11. As to claims 25 and 29, see column 4, lines 40-45 which indicates the end ring 11' is secured to the tube 6' via welding. As to claim 26 see column 1, lines 50-55 which indicate the lining 15 is secured to the tube 6'. As to claims 54-57 see fig. 11 for the spacing of the second securing locus 17 from the first securing locus which connects the tube 6' to the ring 11' and the first ring end surface as shown in fig. 11 as axially spaced from locus 17.

**Allowable Subject Matter**

Claims 52 and 53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 48-51 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112 and to include all of the limitations of the base claim and any intervening claims.



Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Nicholson whose telephone number is (703) 308-0829. The examiner can normally be reached on Tuesdays thru Fridays from 7:30 to 6:00.

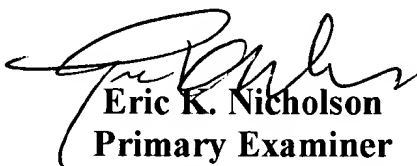
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola, can be reached on (703) 308-2686. The fax phone number for Technology Center 3600 is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-1113.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access

to the Private PAIR system, contact the Electronic Business Center (EBC) at  
866-217-9197 (toll free).

ekn  
6/16/04

  
**Eric K. Nicholson**  
**Primary Examiner**  
**Technology Center 3600**